

RECEIVED  
CENTRAL FAX CENTER

JUN 26 2008

2300 BP Tower  
200 Public Square  
Cleveland, OH 44114-2378  
(216) 363-4500  
(216) 363-4588 Fax  
[www.bfca.com](http://www.bfca.com)**FAX TRANSMITTAL**

Date: June 26, 2008

Deliver fax to: Samuel A. Waldbaum

Company: United States Patent and Trademark Office

Fax number: 571-273-0025

Office number: 571-272-3210

Sender: Eileen T. Mathews

User ID: 1150

Client/Matter: 31480.17

If you do not receive a complete transmission, please call: (216) 363-4461

Number of pages (including this page): 11

Message:

**Confidentiality Note:**

Confidentiality Note: This message is intended for use only by the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately at (216) 363-4500 or (614) 223-9300 and return and return the original message to us at the above address via the United States Postal Service. Thank you.

To ensure compliance with requirements imposed by the IRS, we inform you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

3/18/2008 : 4:16:38 PM Doc 1497255 Ver 1

RECEIVED  
CENTRAL FAX CENTER

JUN 26 2008

PTO/SB/21 (01-08)

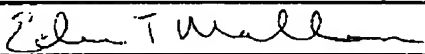
Approved for use through 03/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/823,228
	Filing Date	April 13, 2004
	First Named Inventor	Joel A. Luckman
	Art Unit	1709
	Examiner Name	Samuel A. Waldbaum
Total Number of Pages in This Submission	Attorney Docket Number	US20030472 (31480.17)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Benesch Friedlander Coplan & Aronoff, LLP		
Signature			
Printed name	Eileen T. Mathews		
Date	June 26, 2008	Reg. No.	41,973

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			6-26-08
Typed or printed name	Eileen T. Mathews	Date	41,973

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

JUN 26 2008

Ser. No. 10/823,228  
Examiner Samuel A. Waldbaum

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/823,228  
Applicant(s) : Joel A. Luckman  
Filed : April 13, 2004  
T.C./A.U. : 1709  
Examiner : Samuel A. Waldbaum  
Docket No. : US20030472 (31480.17)

I hereby certify that this correspondence is being  
faxed to the U. S. Patent and Trademark Office  
ATTN: Examiner Samuel A. Waldbaum at  
571.273.8300 on the date indicated below.

Name : Eileen T. Mathews

Signature: 

Date : June 26, 2008

VIA FACSIMILE 571.273.8300

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sirs:

This paper is responsive to Office Action mailed March 26, 2008.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this of this paper.